

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

ROBERT WADE, AIS #181328,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACT. NO. 1:19-cv-340-ECM
)	(WO)
SHERIFF DONALD VALENZA, <i>et al.</i> ,)	
)	
Defendants.)	

OPINION and ORDER

On September 21, 2020, the Magistrate Judge entered a Recommendation (doc. 28) to which no timely objections have been filed. After an independent review of the file and upon consideration of the Recommendation, it is

ORDERED that as follows:

1. the Recommendation of the Magistrate Judge is ADOPTED;
2. the Defendants' motion to dismiss (doc. 24) is GRANTED due to the Plaintiff's failure to properly exhaust the administrative remedy previously available to him at the Houston County jail before filing this action;
3. this case is DISMISSED with prejudice in accordance with 42 U.S.C. § 1997e(a) for the Plaintiff's failure to properly exhaust an administrative remedy before seeking relief from this Court; and
4. other than the assessed filing fee, no further costs are taxed.

A separate Final Judgment will be entered.

Done this 13th day of October, 2020.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE